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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,394	12/21/2001	Edward Michael Silver	36968-263531	1038
23552	7590	02/15/2006	EXAMINER	
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			SINGH, RAMNANDAN P	
			ART UNIT	PAPER NUMBER
			2646	

DATE MAILED: 02/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Supplemental  
Notice of Allowability**

Application No.

10/026,394

Examiner

Ramnandan Singh

Applicant(s)

SILVER ET AL.

Art Unit

2646

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Dec. 01, 2005.
2. ☒ The allowed claim(s) is/are 1-21, 24 and 26-39.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

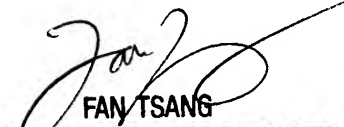
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date; (i) Dec. 19, 2005, (ii) Jan. 13, 2006
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**FAN TSANG**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

## 8. Examiner's Statement of Reasons for Allowance:

Independent claim 1 recites monitoring a call forwarded to a network-based voice mail system (VMS) and limitations for the following: "after the call is forwarded to the voice mail system (VMS), means for determining if the call was forwarded prior to being forwarded to the VMS, and if the call was forwarded prior to being forwarded to the VMS, means for denying call monitoring". The prior art of record does not teach these limitations.

Independent claim 13 recites monitoring a call forwarded to a network-based voice mail system (VMS) and limitations for the following: "after forwarding the call to the VMS, determining whether the call was forwarded prior to being forwarded to the VMS, and if the call was forwarded prior to being forwarded to the VMS, then denying call monitoring". The prior art of record does not teach these limitations.

Independent claim 18 recites monitoring a call forwarded to a network-based voice mail system (VMS) and limitations for the following: "after forwarding the call to the VMS, receiving a call monitoring provisioned signal from the VMS indicating that call monitoring is allowed; and in response to receiving the call monitoring provisioned signal from the VMS; sending a call monitoring alert signal and an activate call monitoring data message to customer premises equipment (CPE) associated with the called party". The prior art of record does not teach these limitations.

Independent claim 26 recites monitoring a call forwarded to a network-based voice mail system (VMS) and limitations for the following: "when the voice message greeting begins playing, sending a start of greeting signal from the VMS to the central office switch so that call monitoring is allowed if the central office is provisioned to begin call monitoring upon receipt of the start of the greeting signal; and sending an end of greeting signal upon completion of the voice message greeting from the VMS to the central office switch so that call monitoring is allowed if the central office switch is provisioned to begin call monitoring upon receipt of the end of greeting signal". The prior art of record does not teach these limitations.

Independent claim 30 recites monitoring a call forwarded to a network-based voice mail system (VMS) and limitations for the following: "receiving an activate call monitoring data message from the CO at the CPE; and in response to receiving the activate call monitoring data message, providing call monitoring to the called party, wherein the CPE automatically goes off-hook and engages a speaker assembly to provide call monitoring to the called party". The prior art of record does not teach these limitations.

Independent claim 39 recites monitoring a call forwarded to a network-based voice mail system (VMS) and limitations for the following: "after forwarding the call to the VMS, receiving a call monitoring provisioned signal from the VMS indicating that call monitoring is allowed; and prior to disconnecting the VMS, receiving the voice mail code, wherein the voice mail code indicates whether the voice mail message left by the calling party should be saved or erased". The prior art of record does not teach these limitations.

New search updates revealed no other prior art which teaches the limitations in the context of the claims. Therefore, claims 1-21, 24 and 26-39 are indicated allowable.

A handwritten signature in black ink, appearing to be 'RNS' with a long horizontal stroke extending to the right.